

## PROLOGUE: ON RECENT INTERPRETATIONS OF HANNAH ARENDT'S *EICHMANN IN JERUSALEM*

During the Second World War, the idea of “collective guilt” or the “collective responsibility” of all Germans for war crimes and genocides of enormous groups of peoples prevailed among the Allied leadership. Winston Churchill, for instance, spoke for a permanent weakening and even of the dissolution of Germany in order to prevent future catastrophes in Europe. For Hannah Arendt, the problem was more complicated. Immediately after the war, she argued that the problem in postwar Germany was how to bear the burden of confronting a people among whom the boundaries dividing criminals from normal persons, the guilty from the innocent, had been so completely effaced that nobody would be able to tell whether they were dealing with a secret hero or with a former mass murderer. Most Germans had become “irresponsible corresponsibles”, supporting the Nazi regime by following orders and acting as cogs in a machine of mass murder. In trying to understand what made people support the Nazis, Arendt focused her attention on the person who boasted of being the organising spirit of the murder. This man was Heinrich Himmler. Arendt argued that Himmler was neither a Bohemian like Goebbels, nor a sex criminal like Streicher, nor a perverted fanatic like Hitler, nor an adventurer like Göring. He was, instead, a good *pater familias*, with all the outer signs of respectability, incapable of betraying his wife and anxious to seek a secure and decent future for his children. (Arendt 1945)

For Arendt, the real horror lay in the fact that this kind of a good family man had become the greatest criminal of the century. More precisely, the trouble with the Nazi perpetrators and their fellow travellers and followers was that they were not composed of a group of perverted criminals with their heads full of evil motives. They were, instead, apparently normal family men who attempted to conform to

and obey the rules and practices of the society, to act decently, pursuing a successful career and good standard of living for their families.

These reflections during the immediate postwar period show that Arendt had formed her view of the character of the Nazi criminal well before Israeli intelligence captured Adolf Eichmann in Argentina in 1960. However, she had not by then seen a Nazi criminal alive. Therefore, she wanted to attend his trial in Jerusalem. This book deals with the immense debate provoked by the report that Arendt wrote of the trial. One of the conspicuous characteristics of the debate that continues to re-emerge every now and then is that, until recently, these early reflections of Arendt have been systematically dismissed. While the contributors do believe that Arendt had formed her view of Eichmann's character well in advance of the trial, they claim that she did so only based on the newspaper coverage of his capture in 1960.

The immediate postwar period from the 1940s to the trial of Adolf Eichmann in the beginning of the 1960s in Jerusalem witnessed a relatively quick turn, both in defeated Germany and other European countries, from the mourning of victims of war and general devastation and suffering caused by the war to looking forward to economic recovery and restoration. Even if the postwar period is not simply characterised by silence and lack of debate over the questions of guilt and responsibility and the fate of the victims of the Nazi terror – as a number of historians have tried to prove – it is fair to argue that, in general, people were more interested in rebuilding Europe and their own lives than mourning the victims and arguing over guilt and responsibility for war crimes and genocides.<sup>1</sup>

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1. In Germany, one of the few who attempted to analytically and critically discuss the guilt of Germans was the philosopher Karl Jaspers, who not only had an intensive correspondence with Arendt as to how to deal with the guilt and responsibility of Germans and the legacy of the entire Nazi period but also tried to awake public debate by publishing a volume entitled *Die Schuldfrage. Für Völkermord gibt es keine Verjährung* (Heidelberg: Lambert Schneider, 1946). Abbreviated English edition *The Question of German Guilt* (New York: Dial Press, 1947).

Having concluded the Nuremberg and other major war crimes trials, the Western powers were also not interested in hunting Nazi criminals. Moreover, the postwar period was characterised by a lack of exact knowledge of the volume of Nazi crimes as the first studies on these were only just emerging. In this respect, the beginning of the 1960s marked a turning point. The first serious studies over the fate of the victims of the Nazi crimes appeared, such as Raul Hilberg's *The Destruction of European Jews* (1963). Along with the capture of Adolf Eichmann, a new interest in the Nazi "hunt" and convicting Nazi criminals arose. Some historians, such as Annette Wieviorka (1998), have argued that the Eichmann trial marked the end of the period of silence and the beginning of the era of the witness. More precisely, the Eichmann trial was the first great public event in which the voices of witnesses and listening to the stories of victims of the Holocaust were given a significant role. Other historians have recently argued that the Eichmann trial alone did not usher in an era of the witness. For instance, Henry Rousso (2017) has pointed out that mass testimonies following episodes of extreme violence first appeared during and after the First World War, in particular in the writings of officers and soldiers. This was a new phenomenon resulting from the thresholds crossed by the conflict's cruelty. A small number of Shoah testimonies emerged as soon as the Second World War ended. These brought up another set of questions, extensively debated for 30 years, about their reception and assimilation, a process that cannot be reduced to merely counting the writings published before the 1960s (Rousso 2017, 35–36).

Hannah Arendt covered the Eichmann trial for *The New Yorker*. Her report first appeared in five articles published in consecutive issues only two years later, in 1963. It immediately caused an immense debate among American Jewish intellectuals, which soon extended to other intellectual circles as well. The debate became international as the report appeared in book form, especially after the German

translation appeared in 1964. The debate has continued ever since, almost uninterrupted.

Relatively peaceful moments have been followed by furious and heated wars of words. The original American debate focused mostly on the themes of Jewish responsibility and cooperation with the Nazis in Jewish councils (*Judenräte*), Eichmann's evil motivations, the character of the accused and the meaning of the banality of evil. In comparison, the German and other European debates focused on (the lack of) resistance at large, voluntary collaboration with the Nazis and the position of former Nazis and fascists in postwar European societies. The American and European debates overlapped only partly, and this distinction between the US-centric and Eurocentric debates has been largely recognisable until today.

This book was originally published in 2008. First and foremost, it focused on the original American debate over *Eichmann in Jerusalem* (1963) and discussed the question of why American Jewish intellectuals took Arendt's arguably controversial arguments so personally, as if she had written a pamphlet on the moral mindset of American Jewish intellectuals, instead of a report of the trial of a major Nazi criminal and a political judgement of his crimes. Firstly, I tried to draw a careful picture of Arendt's own mindset and the context of writing her book. I analysed her early studies of Zionism and critique of the Jewish state and discussed her conception of and relation with Zionism, arguing that her critical Zionist background constituted the most important part of her personal stance on the Eichmann trial. Secondly, I dealt with the general background of the trial, telling the story of the capture of Eichmann and discussing the public debate caused by it. Thirdly, I analysed the original controversy and its basic arguments, revealing how badly Arendt's book was misread, showing how easily even critical intellectuals may succumb to the temptation of *ad hominem* argumentation. Fourthly, I showed how important a role irony as a trope played in Arendt's argumentative style. Indeed, on the one hand, I argued that *Eichmann in Jerusalem* was badly

received in the United States because hardly anybody understood Arendt's ironic style of argumentation. Instead, readers took her text literally, believing that her book was meant to be an impudent and arrogant attack against both the wartime and the postwar Jewish establishment and intellectuals. On the other hand, I claimed that the readership could not bear the sharpness of her argumentation in so far as it mercilessly revealed the political weakness, conformism, inclination to wishful thinking, and lack of political judgement of not only the Jewish leadership and American Jewish intellectuals but also the Western political elite at large. Finally, I discussed the latest developments of the Arendt controversy at the beginning of the 21st century. I argued that the Eichmann trial marked an important turning point in the conceptual revolution of witness and victim, and that Arendt's report had a decisive impact on causing this turn. More importantly, I argued that, around the turn of the century, the readings and debates over *Eichmann in Jerusalem* were disengaged and displaced from the original context of the book and included in the debates surrounding the singularity of the Holocaust and European politics of the past in general.

Hannah Arendt's book itself was by no means about the victims' voices. On the contrary, Arendt harshly criticised the attorney general, Gideon Hausner, for focusing the attention of the court on the sufferings of the victims instead of the crimes of the accused. Furthermore, Arendt maintained that the statements of witnesses were not reliable evidence, either for the court or for the historians, as human memory is treacherous, even more so when traumatic experiences are in question. Even if people do not purposefully lie to the court, they can remember badly or only a part of an experience, or even adopt other people's memories as their own.<sup>2</sup> Three other themes prevailed in the first debate: the Jewish responsibility, the Jewish councils and

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2. For example, Primo Levi has dealt with the fickleness of memory from the victim's point of view. See *I sommersi e i salvati* (Turin: Einaudi, 1986), and the English translation, *The Drowned and the Saved* (New York: Summit Books, 1988).

cooperation with the Nazis, the nature of Eichmann's evil, and the meaning of Arendt's thesis of the banality of his evil. I showed in my book that, underlying all these three themes of the American debate, there was a hidden layer that dealt with the identity of American Jews and their responsibility for what happened to their European brethren. In addition, intertwined with this hidden layer was the question of the fate of the Jewish state and its right to represent world Jewry. Behind the question of why "they" did not rebel, there was the question of why "we" did not do anything in order to help them. While American Jewish intellectuals were wondering why European Jews did not organise resistance and self-defence against Nazi discrimination and violence, they were ashamed of not having done anything to encourage and help their European brethren. Similarly, behind the question of why "they" cooperated with their perpetrators, there was the question of what "we" would have done in a similar situation. It was easy to criticise the behaviour of European Jews from the other side of the ocean. Hardly anybody understood Arendt's thesis of the banality of evil and what she really meant when she argued that the deeds of the criminal did not correspond to the doer. Even today, Arendt's critics have trouble understanding what her thesis really means. Most critics try to find an explanation of it in Eichmann's perverted morality and his wicked character and end up claiming that there is something wrong with Arendt's own conception of the relationship between morality and politics (of mass murder). In my book, I argue, instead, that the core of the banality of evil was that wickedness was not inscribed in the intrinsic or true nature of human being but in her/his deeds and their consequences. What made these deeds astounding was not their exceptional or devilish nature but their seeming and apparent normality. More precisely, Eichmann did not do evil by personally torturing or murdering somebody but, instead, by first leading the organisation of Jews' expulsion from the Reich and then of their deportation to camps, being one of the principal executioners of the project of annihilation.

In 2008, I concluded the book by discussing then-recent studies of the Eichmann trial and Arendt's report of it. I first dealt with David Cesarani's biography of Adolf Eichmann (2004), according to which the birth of the field of Holocaust studies owes more to the controversy surrounding Arendt's pamphlet than to the trial itself or the role of the victims' testimonies in it, and it was not the trial but the controversy that brought the Final Solution home to millions of people. Cesarani's main argument is that it is Hannah Arendt's interpretation of Adolf Eichmann and his trial that has most decisively shaped our understanding of the Nazi criminal, making Eichmann an icon of the 20th century, of the Nazi regime, and of the genocide of the Jews. In his view, Eichmann has become a metonym for the entire history of the Nazi persecution, the mass murder of the Jews, and its legacy.

I found Cesarani's interpretation somewhat exaggerated but, admittedly, the beginning of the 21st century witnessed a revival of rereading of *Eichmann in Jerusalem*. In these new readings, there was clearly a very different emphasis as compared to the earlier debates surrounding the book. This time, the controversy was not about Arendt's interpretation of Jewish politics, or Eichmann's personality, but on the trial itself, Arendt's interpretation and critique of it, and her impact on the dispute over the singularity of the Holocaust. One of the most passionate advocates of the great significance of the Eichmann trial was Shoshana Felman (2000), who argued that the most important result of the trial was that it inverted our understanding of monumentality and greatness. In the Eichmann trial, the real hero was not the accused; instead, the trial succeeded in showing the greatness of the victims. Felman argued that Arendt failed to see that the Eichmann trial historically created the victim. It was the first time in history that a new legal language and space had been created through the first-hand narratives of victims. Felman's point, in accordance with most Holocaust historians, is that what we refer to as the Holocaust did not exist as a collective story prior to the Eich-

mann trial. Over the course of the trial, the victims recovered the language and acquired the semantic and historical authority of the story of their destruction. The result was an international discussion that defined the experience of the victims and referred to the crime against the Jewish people independently of the political and military history of the Second World War.

Whereas Felman focuses on the greatness of victims and the importance of their stories, Leora Bilsky (2004) approaches the Eichmann trial as one in a chain of political trials held in Israel. For her, the main characteristic of a political trial is that political authorities seek to advance a political agenda through criminal prosecution. As I discuss in this book, in the case of the Eichmann trial, the agenda and aim of the Israeli government were to determine the content of collective memory and the Israeli collective identity as to the Holocaust. Until the trial, the Israeli collective identity had been based on Zionist heroism in terms of which Jewish victimhood of the Holocaust was not appreciated. However, among younger Israeli generations, the memory and appreciation of militant Zionism and years of illegal terrorist fight were fading, and new elements of national identity were urgently needed.

Bilsky (2004) argues that the Eichmann trial played a central role in giving authority to the testimonies of Holocaust survivors and making them reliable witnesses in terms of the formation of a legal judgement and the writing of history. Indeed, the Eichmann trial contributed to source materials for historians: a new approach of writing history based on victims' testimonies was born. However, it seems to me that Bilsky's interpretation takes it for granted that in the political trial both parties are treated equally and can present their case equally forcefully. In practice, this is not always the case. It is enough to think of the Moscow trials of the 1930s to understand that the political trial very easily turns into a show trial in which the prosecutor really sets the stage. As to the trial of Adolf Eichmann, neither Felman nor Bilsky really deals with the fact that several wit-

nesses on the defender's side were not able to enter Israel because they were wanted. This did not, of course, affect the result of the trial, but it may weaken Bilsky's argument of the greatness of political trial as transformative event.

The Eichmann trial – or, in broader terms, the Holocaust – did not remain the only context of the politics of victims and victimisation discourses. On the contrary, during the past 20 years, the victimisation discourse has spread globally and been adopted in different kinds of local and national contexts. Jie-Hyun Lim (2014) has argued that victimhood discourses have not remained exclusively related to the Holocaust; instead, victimhood has become a transnational theme that dominates the emergence of memories of mass dictatorship. Lim argues that the rise of a global public sphere has created a space for the contestation of conflicting national memories. For instance, the cosmopolitanisation of Holocaust memories has resulted in the re-territorialisation or re-nationalisation of memories as non-European victims of colonialism begin to equate themselves with Holocaust victims in the processes of decolonisation and nation-building. To many postcolonial regimes, Israel has become a reference point as “a little Great Power”. Most importantly, given that the global public sphere tends to be sympathetic to innocent victims, nations have been increasingly engaged in “a distasteful competition over who suffered the most”.<sup>3</sup> A global confessional culture has emerged in which victimhood narratives can promote national identification that cannot be achieved in other ways. As a result, an international competition for victimhood gives birth to victimhood nationalism, which is based on the dichotomy of victimising nation/victimised nation (Lim 2014, 35–36).

While the first two decades of the 21st century have witnessed a global process in which victimisation discourses have spread everywhere and the reference to the Jewish victims of the Holocaust is

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3. Lim borrows this expression from Antony Polonsky and Joanna B. Michlic (2004).

weakening and fading,<sup>4</sup> in Arendt studies, several new developments have taken place. Some of these are more or less direct continuations of the Eichmann – or Arendt – controversy, while some others draw from Arendt’s early writings and the Eichmann report in order to focus on new themes often connected with burning political problems of the contemporary world. The most interesting developments have, probably, taken place in legal studies, political theory and human rights discourse (Birmingham 2006; Hayden 2009; Sznajder 2011; Gündoğdu 2015; see also Parvikko 2014).<sup>5</sup> It seems to me that, since almost all of Arendt’s early writings, including her Jewish writings and reflections on responsibility and judgement,<sup>6</sup> have appeared, Arendt scholars have adopted more comprehensive strategies of reading and interpretation, paying growing attention to changes and differences between Arendt’s early and later writings. In the following, I will discuss a few of the most important new approaches to the Eichmann/Arendt controversy. In addition, I will introduce a few approaches that instead draw from the Eichmann report, aiming at developing Arendt’s ideas further. In other words, I will have a look at contributions attempting to think with Arendt to go beyond her thinking.

While global debates over victimhood nationalism mostly deal with entire nations or national groups and their fate under totalitarian

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4. In fact, the spread of victimisation discourses also covers such fields as individual psychology, confessional autobiography, the film industry, and fiction, to mention a few. Not surprisingly, in politics, new populist movements have successfully used victimisation strategies for their own purposes.
  5. There are, of course, also those branches of Arendt studies that draw from her political and philosophical writings, such as *The Human Condition* (1958), *On Revolution* (1963), *Between Past and Future* (1961), *Crisis of the Republic* (1972), *The Life of the Mind* (1978) and *Lectures on Kant’s Political Philosophy* (1982), without paying particular attention to the Eichmann controversy.
  6. Most importantly, see Arendt (2003 and 2007). A number of Arendt’s correspondences have also been published. As to the Eichmann controversy, probably the most important among these are Hannah Arendt and Kurt Blumenfeld (1995) and Hannah Arendt and Gerschom Scholem (2017).

rule or in the great conflicts of the 19th and 20th centuries, leaving the reference to the Eichmann trial and Arendt's interpretation of it to the position of a footnote, a branch of the contemporary Eichmann controversy continues in terms surprisingly similar to the first debate in the 1960s (see e.g. Golsan & Misemer 2017). It is characteristic of these contributions that in one way or another they revolve around Eichmann's personality. One of the most praised contributions of this genre is Bettina Stangneth's *Eichmann Before Jerusalem: The Unexamined Life of a Mass Murderer* (2014),<sup>7</sup> which re-examines Eichmann's life before the Jerusalem trial in the light of archive materials that only surfaced well after the 1960s. Stangneth's interpretation leans heavily on the so-called Argentine Papers, including the "Sassen interviews", which have now surfaced in several archives.<sup>8</sup> None of these materials had been available, either for Arendt or for the court in Jerusalem. On several occasions, Stangneth recognises our debt to Arendt's insights of Nazi totalitarianism and her report of the Jerusalem trial. However, in her reading strategy, there is a highly problematic bias concerning both the criminal and Arendt's interpretation of him. Stangneth depicts Eichmann as a fanatical National Socialist and anti-Semite who never ceased to fight his pro-Nazi war and to seek personal fame and recognition. In Stangneth's view, Eichmann's zeal to annihilate Jews stemmed precisely from his ideological fanaticism and his profoundly anti-Semitic worldview. Further, in her interpretation, Eichmann was an extremely calculating person who never showed in public his inner feelings or motives, but instead always kept a close eye on the impact he was having, try-

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7. The German original was published in 2011 with the title *Eichmann vor Jerusalem. Das unbehelligte Leben eines Massenmörders* (Hamburg: Arche Verlag).

8. The Argentine Papers consist of several hundred pages of Eichmann's own notes in exile. The "Sassen interviews" are transcripts of tapes that were recorded during often "wet" sessions of discussion made by a Dutch journalist and a member of the Waffen-SS, Willen Sassen, Eichmann, and a few of their friends in Buenos Aires in the 1950s. In the 1960s, only tiny parts of these interviews were published in *Life* magazine.

ing to make every situation work in his favour. This may be very true. However, it does not follow, as Stangneth argues, that in Jerusalem Arendt fell into Eichmann's trap, believing that the calm and dry bureaucrat in the glass booth was the real and the only Eichmann that ever existed. Stangneth claims that Arendt was unable to resist Eichmann's cunning strategy of defence of representing himself as an unlucky loser, without really being able to show how exactly her "novel" interpretation of Eichmann's personality differs from Arendt's argumentation. On a careful reading of Arendt's pamphlet, it is clear that she did not cherish any fantasies of the personality of the Nazi criminal, and she avoided the trap of describing him as somehow essentially inhuman, devilish, or monstrous by birth. Instead, she described him as an entirely normal, ordinary man with a strong propensity to self-important boasting, bragging, and bossing about. In addition, Arendt described Eichmann as a devoted careerist whose principal aim was to climb as high up in the Nazi hierarchy as possible. Even if Stangneth's contribution does not markedly differ from Arendt's interpretation of Eichmann, there is a fundamental difference in their approaches. While Stangneth focuses on the person of the criminal, arguing that his evil deeds originated from his evil personality, Arendt focused on his deeds, arguing that evil motives alone do not commit crimes. Stangneth risks being obsessed with the idea that an evildoer must be evil by their nature, and that the wickedness of the deeds of the criminal can be derived and measured by their inner nature or personal character. Arendt simply argued that what appeared before the court in Jerusalem was not Eichmann's inner nature or hidden motives but, instead, his deeds. This is because, for Arendt, it is the deeds that matter, judicially, politically, and ethically. Even more importantly, the Western judicial system has been constructed in such a way that it can deliver justice only based on the deeds of the accused.

Stangneth's (2014) account, which became widely reviewed and commented on, contributed significantly to redirecting the debate

back to its original starting point, focusing on Eichmann's "wicked" personality, the evil nature of his actions and his anti-Semitism. It is noteworthy that, again, the controversy was split in two. While American debaters once again enthusiastically focused on Eichmann's person, German discussions of Stangneth's book centred around the neo-Nazi circle of sympathisers who gathered in Argentina, their connections to post-war Germany, their hopes to influence political events there, and the claim that successive German governments resisted bringing Adolf Eichmann to trial. As Seyla Benhabib (2018, 64–65) has argued, these aspects of Stangneth's book, which directly address the culture of silence and repression in postwar Germany's failing to work through the past (*Vergangenheitsbewältigung*) have all been neglected by American commentators. Instead, the trial of Adolf Eichmann has been turned once more into a trial of Hannah Arendt.

Benhabib herself got also involved in this quite repetitive debate over Eichmann's personality, attempting to redirect it in ethical and political terms. Seyla Benhabib and Richard Wolin debated over where Arendt's notion of thoughtlessness originated. This debate took place on the pages of the *New York Times* and the *Jewish Review of Books*, where both authors assessed Stangneth's book, ending up debating Arendt's philosophical background and premises.<sup>9</sup> The debate started when Wolin (4 September 2014) first argued that, by depicting Eichmann as a colourless bureaucratic desk-killer, Arendt sought to downplay the German specificity of the Final Solution and to safeguard the honour of the highly educated German cultural milieu from which she herself hailed. He argued that Arendt had her own intellectual agenda, and – perhaps out of her misplaced loyalty to her former mentor and lover, Martin Heidegger – insisted on applying the Freiburg philosopher's concept of thoughtlessness

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9. The following discussion is based on Benhabib, 21 September 2014; Benhabib, 14 October 2014; Wolin, 4 September 2014; Wolin, 30 September 2014; Wolin, 14 October 2014.

(*Gedankenlosigkeit*) to Eichmann. In so doing, on the one hand, she drastically underestimated the fanatical conviction that infused his actions and, on the other hand, attempted to absolve the German intellectual traditions. Wolin further argued that Benhabib's view, according to which Kant's moral philosophy plays a systematic role in *Eichmann in Jerusalem*, is unsustainable because Arendt refers to Kant's theory of judgement only in one meagre passage. To Wolin's knowledge, Arendt only developed these Kantian precepts in earnest in her later writings in the 1970s.<sup>10</sup> For Wolin, who maintained that Eichmann's murderous actions were motivated by his evil and anti-Semitic nature, Eichmann's inability to think was essentially a ruse, a conscious tactic that Eichmann employed in Jerusalem to lead the court astray, and had nothing to do with Eichmann's incapacity to think from another's point of view. Benhabib returns to this debate in a collection of articles published a few years later, elaborating on her reflections of the Kantian traits in Arendt's analysis of Eichmann's wickedness. She argues that Arendt's reflections on Kant's moral philosophy are especially relevant to understanding Arendt's use of the term "thoughtlessness" (Benhabib 2018, 70). In order to make proper judgements, Arendt drew from Kant's notion of a different way of thinking, for which it would not be enough to be in agreement with one's own self but which consisted in being able to think in the place of everybody else, and which he therefore called enlarged mentality. Arendt emphasised that the capacity to judge is a specifically political ability in exactly the sense denoted by Kant, namely the ability to see things not only from one's own point of view

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10. Wolin dismisses the fact that Arendt started to read Kant at the age of 15. While her attitude towards Heideggerian philosophy went through a significant change after having learnt about Heidegger's connections to the Nazi Party and its ideology, Kantian philosophy constituted a firm basis for her thinking. At an advanced age, she once noted that, when writing, she always had a sensation that Kant was standing behind her, dictating what she ought to write.

but from the perspective of all those who happen to be present.<sup>11</sup> This is not only something that Eichmann was incapable of; it also was very different from Heidegger's *Gedankenlosigkeit*, to which Wolin attempted to reduce Arendt's concept of thoughtlessness. Benhabib (2018, 72) explains that, in the 1950s, Heidegger complained that what is most thought-provoking in our thought-provoking time is that we are still not thinking. However, Heidegger was not referring to the lack of thinking from the standpoint of others; his complaint was that the thing itself that must be thought about turns away from man. The modern man is all too beholden to what others may think and to turning away from Being itself.

Benhabib reminds us that, when Arendt presented her provocative thesis of the banality of evil, she was fully aware of going counter to the tradition of Western thought, which saw evil in metaphysical terms as ultimate depravity, corruption, and sinfulness. In fact, Arendt never stopped pondering the nature of political evil (which Benhabib, unfortunately, continues to confuse with ethical evil). In the first volume of her posthumously published *The Life of the Mind* (1978), Arendt asked again whether the problem of good and evil, our faculty of telling right from wrong, might be connected with the faculty of thought, being convinced that enlarged thought or mentality and taking the standpoint of others was crucial for political and public judgements.

Soon after the heated exchange of arguments between Wolin and Benhabib, Corey Robin's account (2015) of the recent developments of the American Arendt controversy was published in *The Nation*, arguing that one of the reasons Arendt's argument about the banality of evil is so threatening is that it undercuts the ability of political theorists and public moralists to regard the Holocaust as something other than a historical event. He pointed out that the fate of Arendt's

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11. Here, Benhabib quoted from Arendt's essay "Crisis in Culture", published in 1961, in *Between Past and Future*.

book was closely tied to the evolving political and historical sensibilities of diasporic and particularly American Judaism. He argued that the controversialists had moved on to focus on Arendt's treatment of Eichmann's anti-Semitism, the fate of the state of Israel, and the relation of world Jewry to the Jewish state. In accordance with Benhabib, he then suggested that *Eichmann in Jerusalem* is the most Jewish of Arendt's texts, filled with a modernist sense of Jewish irony (Robin 2015). While a non-Jewish reader is not necessarily able to grasp why an attempt to create new political morals and banisters for political judgement in the post-Holocaust world – for which Robin praises Arendt's book – were particularly Jewish qualities, it is a fact that recent years have witnessed an appearance of a wave of accounts in which the focus once more is on Jewish identity and on an individual Jew's relation to the state of Israel. In other words, the novelty is not in the theme of Jewish identity, which was at stake right from the beginning of the first controversy in the 1960s, but, instead, in the political quality of at least some of these new approaches. While most accounts in this genre remain faithful to the traditional way of relating or connecting Jewish identity to the existence and fate of the Jewish state and find anti-Semitism in any criticism of the state of Israel, there are also new types of account that attempt to leave the traditional trenches and frontlines of debate and find new ways of thinking about and reading politically the question of Israel/Palestine based on the idea of sharing the world (particularly Palestine) in terms of cohabitation, which is not based on traditional criteria of birth, ethnicity, nationality, or language.

Undoubtedly, one of the most interesting – and for some people also controversial – recent accounts is Judith Butler's *Parting Ways*, published in 2014, which draws significantly from Arendt's critique of the nation state and her discussion of Eichmann's unwillingness to share the world with Jews. Butler (2014) aims to take distance from a traditional Zionist approach to Israel/Palestine and to defend a possibility of a non-Zionist Jewish identity and existence, which

does not consider Israel as a self-evident pre-given Jewish point of reference.<sup>12</sup> She argues that contemporary Jewishness should not exclusively be based on the identification and support of the Jewish state. She attempts to understand how the exilic or diasporic existence of the Jews is historically built into the idea of the Jewish and how, in this sense, to be a Jew is to be departing from oneself, cast out in a world of the non-Jew in order to try to think together the possibilities of the post-exilic cohabitation in Palestine. In more empirical terms, Butler attempts to delineate ways out of the identitarian impasse caused by an exclusive commitment to the Jewish state irrespective of its highly discriminative and colonialist treatment of Palestinian population (Butler 2014, 14-15).

In this context, Butler (2014, 151-180) discusses Arendt's critique of the Jewish state and her ideas of cohabitation – or, in Arendt's term, sharing the world – with other people. She analyses the judgement and verdict made by Arendt in the epilogue of *Eichmann in Jerusalem*, according to which Eichmann's greatest crime, in ethical and political terms, was his unwillingness to share the world with the Jewish people. Butler comes very close in understanding that, in Arendt's view, the greatest crime of Eichmann and other Nazis was political by nature: believing that they could decide on who had the right to live on earth, they violated the political principles of sharing and cohabitation that constitute the basic "law" of the human condition (Butler 2014, 162). However, her highly intelligent and inspiring reading of Arendt's judgement fails to grasp two points. Firstly, Butler (2014, 165, 168) seems unable to understand who speaks in the epilogue, arguing that it is as if Arendt were splitting herself in different positions and fighting against her inner rage and contempt to make an objective judgement of the perpetrator. In my view, the entire judgement becomes intelligible only if one realises that the rhetorical

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12. Because of this, she has also received furious attacks from Zionist scholars. See e.g. Berman (2017).

“we” who speaks in the epilogue is the whole of humankind. Arendt’s point is that, politically speaking, by refusing to share the world with the Jewish people, Eichmann committed a crime against the whole of humankind, going against the conditions of worldliness and plurality on which human life and cohabitation on earth is based. Secondly, Butler (2014, 173–175) argues that, paradoxically, in pronouncing her own verdict upon Eichmann, Arendt unintentionally posits herself as a sovereign, almost in a Schmittian (or Agambenian) sense of the term, as someone who has the power to decide over life and death. In Butler’s view, this unintentional sovereignty postulated by Arendt somehow spoils her account of cohabitation. In my view, this is not necessarily the case if one understands that the speaking subject of the epilogue postulated by Arendt is humankind. If one wants to locate a Schmittian/Agambenian sovereign somewhere in Arendt’s text, the proper location would be Eichmann, together with other Nazis, in so far as they believed themselves to have the right to decide on who is allowed to live on earth. In the final analysis, Butler fails to read Arendt’s account politically and understand that Eichmann’s greatest crime, the refusal to share the world with Jews, Roma, communists, and some other groups of people, was political by its very nature, going against the human condition of plurality. Butler (2014, 168) comes close to this understanding by suggesting that the epilogue of *Eichmann in Jerusalem* is an exercise of judgement, but then she fails to see that Arendt is exercising political judgement in a post-totalitarian situation characterised by a lack of relevant positive law by means of which to judge entirely new types of crimes such as genocide and the violation of the principle of cohabitation. She fails to see, however, that here Arendt is making a political diagnosis of the post-totalitarian situation as an entirely new and unprecedented situation in which we are not able to lean on pre-given rules or patterns of thought and cannot but judge without banisters.

Nevertheless, there is a problem in Arendt’s verdict, no matter whose voice it is that speaks in the final paragraph of the epilogue:

her own or that of the whole of humankind. This problem is, indeed, connected to the problem of sovereignty, although Butler fails to formulate and locate it correctly: how is it possible that Arendt's "we" assumes the right to pronounce a death sentence? Arendt concludes her verdict as follows:

For politics is not like the nursery: in politics obedience and support are the same. And just as you supported and carried out a policy of not wanting to share the earth with the Jewish people and the people of a number of other nations – as though you and your superiors had any right to determine who should and who should not inhabit the world – we find that no one, that is, no member of the human race, can be expected to want to share the earth with you. This is the reason, and the only reason, you must hang. (Arendt 1963/1965, 279)

It seems that here, indeed, Arendt herself goes against the basic principles of cohabitation and human plurality. Does not the human condition of plurality and cohabitation refuse the possibility of killing anybody as far as killing means going against this condition? Butler dealt with this problem in an earlier article, but, for some reason, leaves the discussion of it out of *Parting Ways*. In a 2011 article, she first argued that Eichmann's crime was that he failed to think; he failed to judge; he failed to make use of practical reason, in the Kantian sense of the word (Butler 2011, 283). However, as Russell A. Berman (2017, 142) has argued, these are rather the conditions of Eichmann's crimes. Butler (2011) elaborates on her argument and claims that Eichmann's final crime was that he, together with others, took as their own right the decision over whom to share the earth with. In other words, Butler also claims that Eichmann's final crime was the crime of not sharing. Here we come again to the problem of capital punishment. Butler (2011, 287) correctly asks: according to what law, norm, or principle is the decision in favour of capital punishment justified in this case? She points out that Arendt's verdict gives a convincing account of why no one really wants Eichmann alive, but it does not explain whether that is a sufficient condition for the justification of the death penalty.

In fact, in this matter Arendt disagreed even with Karl Jaspers, with whom she had a lively correspondence about the Eichmann case right from his kidnapping to the years of controversy (see Arendt & Jaspers 1992). According to Jaspers, it would have been better, at least in Israel, to leave Eichmann without a punishment proper. He wrote to Arendt that it would have been wonderful to do without the trial altogether and make it instead into a process of examination and clarification (Arendt & Jaspers 1992, 413). The goal would have been the best possible objectification of the historical facts. Israel would then have placed the evidence and the criminal, hopefully, at the disposal of the United Nations, although it is probable that nobody would have wanted to have anything to do with the case. Then Jaspers made an extremely interesting remark about the relationship of the Eichmann case with the political realm. He pointed out that the political realm is of an importance that cannot be captured in legal terms, although the Anglo-Saxons self-deceptively attempt to do so. However, in Jaspers' view, being "political" has dignity, which is larger than law, and which the case of Eichmann does not have. It has no dignity, but it is for the sake of truth and clarity that it must be lifted out of the merely legal framework.

In my view, Butler comes very close to Jaspers' viewpoint. She notes that the political point of Arendt's rejoinder to Eichmann is that one must make clear that there exists no such right as the right to choose with whom to cohabit the earth. From this, it follows that to exercise such a right is to invoke a genocidal prerogative; it is only for those who have implemented genocide that the death penalty is apparently justified. In addition to the paradox included in this set-up, Butler correctly points out that we do not receive on these pages a justification for why that penalty, rather than some other form of punishment, is appropriate (Butler 2011, 291–292).

The question of capital punishment in the cases of crimes against humankind has puzzled jurists, even since the capture of Adolf Eichmann, and it remains one of the themes that arouse interest and

debate among scholars of law, while other scholars and participants in the Arendt controversy have more often than not almost completely ignored it.<sup>13</sup> In the field of legal theory, there is an interesting recent account by Peter Burdon (2018, 103), which acknowledges that, as a political theorist, Arendt writes unbounded by the law and the rules of precedent. Consequently, she is also free to connect crime, punishment, and forgiving together in a way uncommon in the ordinary practice of law. Instead of law, she relies on a pre-legal understanding of responsibility and practical reason to ground her judgement. She asks us to consider human judgement not as bound by existing law or norms but as something that produces its own virtue through the act itself. Burdon (2018, 105) argues that it is possible to reconcile Arendt's instantiation of the death penalty with reference to her earlier writings on punishment and forgiveness. More precisely, in some earlier writings, Arendt argues that you can only punish what you can forgive because forgiving represents a beginning again. If an event is unforgivable then you cannot punish it, and thus the death sentence comes into play. Burdon finds this reasoning austere and ultimately unacceptable because it leaves unclear how it distinguishes itself from other kinds of violence. In addition, Arendt did not critically examine her support for the death penalty or connect Eichmann's death with her critique of the political aims of the trial. However, Burdon points out that it is likely that she intended her commitment on the unforgivability of thoughtless evil to apply only with respect to mass crimes like genocide or crimes against humanity. Thus, for Arendt, when people knowingly or thoughtlessly engage in genocidal acts, they take leave from human plurality and put themselves outside the bounds of forgiveness (Burdon 2018, 106–107). And yet, I would add, the question remains whether any human being can assume the right to decide on any other human being's life and existence.

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13. I also previously ignored the problem of capital punishment in Parvikko (2000), which gives an account of the pre-trial debate of positivists and moralists in international law.

Despite this critique, Burdon (2018, 110) claims that Arendt's ability to hold a place in her mind for the unprecedented and her refusal to collapse new events into traditional concepts or recognisable tendencies is valuable and also of utmost importance for us when we try to analyse and judge contemporary phenomena. He argues that the failure to confront the unprecedented and draw distinctions was most powerfully expressed in the reflexive way Donald Trump has been labelled a fascist or the way intellectuals have sought to understand Trump through Max Weber's description of charismatic leadership. This tendency to substitute and shuffle ideas, or assimilate conventional categories, destroys the boundaries between discrete objects and is something that the historically minded should resist. Here, Burdon goes with Arendt against the tradition of law and legal theory of searching for precedents in order to judge present-day phenomena. In this way, he comes very close to my argument in this book that *Eichmann in Jerusalem* ought to be read as a political judgement of unprecedented crimes of a new type of criminal.

More importantly, Burdon (2018, 111–112) suggests that we should not ape Arendt's account of Nazi totalitarianism in our attempts to understand novel political developments of contemporary democracies but, instead, go beyond it and try to assess and judge new phenomena without pre-given norms and patterns. Instead of prophesying historical repetition of former phenomena, we would do better to attempt something like Sheldon Wolin's (2008, xvii) characterisation of contemporary politics as "inverted totalitarianism", a political hybrid where economic and state powers are conjoined. According to him, it is not a political party but, instead, neo-liberal capitalism that seeks total power and gives rise to its own unique pathologies. The corporate interests driving inverted totalitarianism speak in the language of freedom and democracy, representing themselves in a manner that suggests a deep respect for democratic institutions and the rule of law. However, these same forces corrupt and manipu-

late democracies, shifting them away from democratic principles towards a situation where governance is directed by private interests and democratic values saturated with market values (Wolin 2008, xxi).

Another extremely interesting and inspiring account on recent political developments, drawing from Arendt, is Michael Rothberg's (2019) notion of the implicated subject that approaches responsibility and commitment of posterity in relation to past atrocities. He picks up the term "implicated" from Arendt's article *Personal Responsibility Under Dictatorship* (1964), in which she writes: "Whoever participates in public life at all, regardless of party membership or membership in the elite formations of the regime, is implicated in one way or another in the deeds of the regime as a whole." (Arendt 2003, 33)

While Arendt's reference is to Nazi Germany, Rothberg takes as his task the recontextualisation of the term for wider usage, drawing from another of Arendt's texts published in the aftermath of the Eichmann trial. He quotes Arendt from her article *Collective Responsibility* (1968), in which Arendt approached the question of political responsibility for things we have not done. She concluded her reflections as follows:

This vicarious responsibility for things we have not done, this taking upon ourselves the consequences for things we are entirely innocent of, is the price we pay for the fact that we live our lives not by ourselves but among our fellow men, and that the faculty of action, which, after all, is the political faculty par excellence, can be actualized only in one of the many and manifold forms of human community. (Arendt 2003, 157–158)

Rothberg (2019, 46) suggests that, in these articles, Arendt went beyond the immediate context of Nazi totalitarianism and opened up a more general issue that has a diachronic, or historical, dimension as well. She was not only thinking about everyday life in Nazi Germany but also simultaneously confronting questions of respon-

sibility in the aftermath of political violence. In this sense, political responsibility not only encompasses those implicated at the time of the events without directly participating in them but also political communities that are transgenerational in nature. Although not guilty of what precedes us, we remain captive to communal or political responsibility by virtue of our participation in a collective way of life.

Rothberg (2019, 1) suggests that Arendt's concept of implication can be helpful when we try to find adequate concepts for describing the manifold indirect, structural, and collective forms of agency that enable injury, exploitation, and domination but that frequently remain in the shadows. In order to describe such relations of indirect responsibility, he proposes the category of the "implicated subject" and the related notion of implication. Implicated subjects occupy positions aligned with power and privilege without being themselves direct agents of harm. They contribute to, inhabit, inherit, or benefit from regimes of domination but do not originate or control those regimes. An implicated subject is neither a victim nor a perpetrator but rather a participant in histories and social formations that generates the position of victim and perpetrator.

Rothberg (2019, 13) points out that the term closest, both semantically and etymologically, to "implication" is "complicity", which refers to partnership in an evil action, i.e. operating in proximity to the notion of criminal guilt. Complicity presupposes implication, but implication does not always involve complicity. Complicity works best as a term linked to unfolding processes and completed actions (such as the perpetration of a crime) but it works less well for describing the relationship of the past with the present. Rothberg argues that we are implicated in the past but we cannot be complicit in crimes that took place before our birth. Indeed, neither the concept of complicity nor that of collective responsibility accurately captures the unevenness of our relations to the past and present. For example, the racial hierarchies that define the contemporary US mean that even people

fleeing from traumatic histories may find themselves implicated in the distant crimes of slavery and genocide, especially if they are able to benefit from inclusion in the category of whiteness.

Rothberg's (2019, 20) fundamental argument is that the wicked things we are experiencing are still possible because most people deny, look away from, or simply accept the benefit of evil in its extreme and everyday forms. He points out that implicated subjects are often versions of the obedient and complacent mediocre subjects theorised by the philosopher Simona Forti in *New Demons*. Forti (2014, 179) argues that passivity, consent to authority, and the "normativity of nonjudgement", which are aspects of obedience, serve as the carriers of political evil, as its effective transmission belt. Even worse, the things we are experiencing are also still possible because most people refuse to see how they are implicated in historical injustices.

In conclusion, I would like to argue that the past ten or 20 years have witnessed a revival of debates around *Eichmann in Jerusalem*. While a section of these new contributions continues to repeat old arguments, new approaches have also emerged that attempt to establish distance from old interpretations and viewpoints, and think with Arendt beyond Arendt. In my view, among the most promising accounts in this field are Peter Burdon's suggestion of approaching new political phenomena from the viewpoint of Arendt's concept of unprecedentedness and Michael Rothberg's notion of the implicated subject, which help and encourage us not to remain trapped in old debates but, instead, to understand that diachronic and synchronic political analyses are not mutually exclusive but instead presuppose each other.

It is precisely in this context that my account of *Eichmann in Jerusalem* and the controversy aroused by it continues to offer a contribution to the scholarly discussion. Having been one of the first *political* readings of Arendt's pamphlet, my aim was to intervene in the debates surrounding it by pointing out the political value of the book. In my interpretation, Arendt made a strong political argument according

to which one of the most important reasons that made Hitler's rise to power and his policy of genocide possible was the tendency of European political elites – Jewish elites included – to wishful thinking based on lack of political judgement. Despite the entire European continent falling into the hands of dictators (Mussolini in Italy, Franco in Spain, Salazar in Portugal, Metaxás in Greece, etc.), European power elites refused to face the truth and ponder the political consequences of these developments. Or, even worse, they greeted new dictators almost admiringly as counterweights against Stalin's communist empire, and they did not raise a finger when communists and other forces of opposition were put in jail in these countries. The reverse side of the elites' wishful thinking and lack of political judgement was the conformism of large masses of people. In her book, Arendt was interested in pointing fingers not so much at the moral or legal guilt of the Nazi criminals – which is all too evident – but at the political responsibility for the Nazi crimes, arguing that what we all share are not the crimes but the political responsibility for the circumstances that allowed them to happen. The decisive character of these circumstances was the willingness of ordinary people not only to conform and acquiesce but also to actively support any form of power. In this general frame, Adolf Eichmann belonged to those who actively climbed up the Nazi ladder and co-participated in the production of genocide.

In a political reading, Eichmann's greatest crime also appears in a different light from those interpretations that focus simply on the wicked personality of the mass murder. More precisely, one of the originalities of Arendt's view on Eichmann's crimes is looking at them in the context of the common world of humankind, which, according to her, ought to be shared fairly between everybody in freedom and equality. The intention and aim of liquidation of a certain group of people from the earth means that, politically thinking, the greatest crime of the Nazis – Eichmann included – was that they did not want to share the common world with other people but, instead,

attempted to assume the privilege of deciding who is allowed to live on the earth in the first place. For Arendt, this was the only reason other people could not share the world with Adolf Eichmann.

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